AMENDMENTS TO THE DRAWINGS

One (1) attached sheet of drawing includes changes to Fig. 1. The change to this Figure 1 is as follows.

Sheet 1 includes Fig. 1 – Please change the label from "1/16" to – 1/15 --.

Attachment: One (1) Replacement sheet

REMARKS

This amendment is responsive to the Official Action mailed December 27, 2006. A Petition to Extend Time to Within the First Extended Month accompanies this paper.

Priority Claim

It is noted with appreciation that the certified copies of the priority documents have been received by the USPTO and acknowledged by the Examiner.

Information Disclosure Statement

It is also noted with appreciation that the Information Disclosure Statements filed on June 30, 2004 and September 14, 2005 have been considered by the Examiner.

Drawings

The drawings have been amended according to the Examiner's instructions. Specifically Figure 1 has been amended to correct the label from "1/16" to --1/15--. This change does not constitute new matter. Accordingly, entry of these corrected drawings and withdrawal of the objection to the drawings is courteously solicited.

Specification

Applicant presumes that the Preliminary Amendment filed on September 14, 2005 containing amendments to the specification has been entered without objection, as no such objections to the Preliminary Amendment have been made by the Examiner.

Claims

Claims 1 and 2 are pending in this application. Each of these was rejected as unpatentable over Miyoshi, U.S. Pat. No. 5,493,455 (hereafter "Miyoshi") in view of Kulakowski, U.S. Pat. No. 5,303,214. This rejection is respectfully traversed.

It appears that some confusion has crept into the analysis and understanding of the Applicant's invention as to the meaning of "memory-oriented information" for acquiring identification information from the memory accessed by the "memory accessing means" and the "tape-oriented information acquiring means" that acquires identification information from the

magnetic tape, as stated in claims 1 and 2. This is significant in view of the apparent understanding of the program information and the tape information described in the cited Miyoshi patent.

In Miyoshi, the program information and the tape information as there described are those data such as a title of the program, a time length of the program, etc. regarding the program itself and these informations are used when overwriting the program data recorded on the tape medium and resetting the program information recorded in the memory.

In contrast, in the Applicant's invention, as claimed, the memory-oriented information and tape-oriented information are those data such as a serial number of the tape cassette and memory, manufacturer ID, etc (see, for example, Fig. 14) and comparing the memory-oriented information read from the memory and tape-oriented information read from the tape medium and control the read/write operation of this tape cassette. By using these memory-oriented information and tape-oriented information, recorded data on the tape medium can be fully protected even in the case that the memory in the cassette is replaced with an illegally produced memory.

To refresh one's thinking about this invention, as claimed, reference may again be made to pages 1 to 7 of the specification as filed. It is noted that the cited JP '474 publication, according to the text on page 4 of the specification, discusses a nonvolatile memory installed within a tape cassette enclosure so that the memory may accommodate management information. The tape streamer drive for use with such a tape cassette so equipped incorporates an interface for writing and reading management information to and from the nonvolatile memory, i.e. information about the recording and reproduction of data to and from the magnetic tape. While this technique solves a need, see the last full paragraph on page 7, its mechanical connection to the tape cassette increased its vulnerability to tampering, see page 5 of the specification. Thus, the Applicant's invention is directed to prevent cases of tampering with the nonvolatile memory.

As claimed, the apparatus claim 1 includes a reference to a determining means for determining whether there is a match between said memory-stored identification information acquired by said memory-oriented information acquiring means on the one hand and the tape-

stored identification information acquired by said tape-oriented information acquiring means on the other hand.

In the statement of the rejection, the examiner clearly recognizes that Miyoshi does not teach that its management memory may contain an identifier unique to the tape cassette or that it could be used to compare respective identification information, apparently as claimed, i.e. memory-stored identification information and tape-stored information, as in claim 1. See a similar use of memory identification information and tape identification information in method claim 2. See also Fig. 15 and the accompanying descriptive text for an understanding of the method claim

It is also respectfully submitted that the statement at the top of page 4 of the Action is broader than the structure and method claimed in claims 1 and 2. If there is an unfortunate lack of appreciation for the interpretation given by the examiner, he is invited to telephone the undersigned in an effort to supplement this response to move the issues toward allowance. As there stated, it seems to be motivated by a hindsight analysis gleaned from the claims, rather than being based on the teachings of either reference taken as a whole or their proper combination.

As the rejection now stands, even if the combination were proper, the combined references do not teach, suggest, or motivate all of the limitations of claims 1 and 2 when read according to the explanation above. Thus, the rejection as stated fails to make a prima facie case assuming arguendo that the combination were proper.

But, the factual underpinnings for the combination proposed are suspect. Nothing in either reference, without the benefit of the Applicant's disclosure, is relied upon as urging the modification or motivating the modification of Miyoshi that is proposed. It is noteworthy that Kulakoski was filed in early 1992, while Miyoshi was filed in April, 1994 based on 1993 priority cases in Japan; if the teachings of Kulakoski were valuable and suggested, it is more apt that they would have been incorporated into Miyoshi in the first instance. Moreover, Miyoshi is the type of prior art discussed in the background of the invention relating to a tape cassette with a memory, seemingly intended for access to programming control, judging from col. 1 of Miyoshi. No factual basis is urged for modifying Miyoshi with the teachings of Kulakoski that is found in either reference or in the skill of the art

Reexamination and reconsideration of claims 1 and 2 are respectfully requested.

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Respectfully submitted,

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Annotated Sheet

1/16 1/15

FIG. 1